



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY



सं० 25] नई दिल्ली, मंगलवार, अगस्त 2, 1994 / श्रावण 11, 1916
No. 25] NEW DELHI, TUESDAY, AUGUST 2, 1994, SRAVANA 11, 1916

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the
2nd August, 1994:—

BILL No. LIII OF 1994

A Bill further to amend the Motor Vehicles Act, 1988.

BE it enacted by Parliament in the Forty-fifth Year of the Republic
of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Amendment) Act,
1994.

Short
title and
com-
mence-
ment.

(2) It shall come into force on such date as the Central Government
may, by notification in the Official Gazette, appoint; and different dates
may be appointed for different provisions of this Act and any reference
in any such provision to the commencement of this Act shall be constru-
ed as a reference to the coming into force of that provision.

59 of 1988

2. In section 2 of the Motor Vehicles Act, 1988 (hereinafter referred
to as the principal Act),—

Amend-
ment of
section 2.

(i) in clause (8), sub-clause (a) shall be omitted;

(ii) in clause (21), for the figure "6000", the figure "7500"
shall be substituted;

(iii) after clause (21), the following clause shall be inserted,
namely:—

“(21A) “manufacture” means a person who is engaged in the
manufacture of motor vehicles;”

(iv) in clause (28), for the words "thirty-five cubic centimetres" occurring at the end, the words "twenty-five cubic centimetres" shall be substituted;

(v) for clause (39), the following clause shall be substituted, namely:—

'(39) "semi-trailer" means a vehicle not mechanically propelled (other than a trailer), which is intended to be connected to a motor vehicle and which is so constructed that a portion of it is super-imposed on, and a part of whose weight is borne by, that motor vehicle;'

(vi) in clause (42), after sub-clause (iii), the following sub-clause shall be inserted, namely:—

"(iv) Zilla Parishad or any other similar local authority."

Amend-
ment of
section 3.

3. In section 3 of the principal Act, in sub-section (1), for the words "a motor cab", the words "a motor cab or motor cycle" shall be substituted

Amend-
ment of
section 4.

4. In section 4 of the principal Act, in sub-section (1), in the proviso, for the words "a motor cycle without gear", the words "a motor cycle with engine capacity not exceeding 50cc" shall be substituted.

Amend-
ment of
section 7.

5. In section 7 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) No person shall be granted a learner's licence to drive a transport vehicle unless he has held a driving licence to drive a light motor vehicle for at least one year."

Amend-
ment of
section
8.

6. In section 8 of the principal Act, after sub-section (3), the following proviso shall be added, namely:—

"Provided that no such medical certificate is required for licence to drive a vehicle other than a transport vehicle."

7. In section 9 of the principal Act,—

(a) for sub-section (3), the following shall be substituted, namely:—

Amend-
ment of
section
9.

"(3) If the applicant passes such test as may be prescribed by the Central Government, he shall be issued the driving licence:

Provided that no such test shall be necessary where the applicant produces proof to show that—

(a) (i) the applicant has previously held a driving licence to drive such class of vehicle and that the period between the date of expiry of that licence and the date of the application does not exceed five years, or

(ii) the applicant holds or has previously held a driving licence to drive such class of vehicle issued under section 18, or

(iii) the applicant holds a driving licence to drive such class of vehicle issued by a competent authority of any country outside India, subject to the condition that the applicant complies with the provisions of sub-section (3) of section 8,

(b) the applicant is not suffering from any disability which is likely to cause the driving by him to be a source of danger to the public; and the licensing authority may, for that purpose, require the applicant to produce a medical certificate in the same form and in the same manner as is referred to in sub-section (3) of section 8:

Provided further that where the application is for a driving licence to drive a motor vehicle (not being a transport vehicle), the licensing authority may exempt the applicant from the test of competence to drive a vehicle prescribed under this sub-section, if the applicant possesses a driving certificate issued by any institution recognised in this behalf by the State Government."

(b) for sub-section (5), the following sub-section shall be substituted, namely:—

"(5) Where the applicant does not pass the test; he may be permitted to re-appear for the test after a period of seven days:

Provided that where the applicant does not pass the test even after three appearances, he shall not be qualified to re-appear for such test before the expiry of a period of sixty days from the date of last such test."

8. In section 10 of the principal Act, in sub-section (2), for clauses (e) to (h), the following clause shall be substituted, namely:—

"(e) transport vehicle;".

Amend-
ment of
section
10

9. In section 14 of the principal Act, in sub-section (2),—

(i) in sub-clause (a), the word "and" shall be omitted, and after clause (a) as so amended, the following proviso shall be inserted namely:—

Amend-
ment of
section
14.

"Provided that in the case of licence to drive a transport vehicle carrying goods of dangerous or hazardous nature be effective for a period of one year and renewal thereof shall be subject to the condition that the driver undergoes one day refresher course of the prescribed syllabus; and";

(ii) in clause (b),—

(a) in sub-clause (i), for the words "forty years", at the two places where they occur, the words "fifty years" shall be substituted;

(b) for sub-clause (ii), the following clause shall be substituted, namely:—

"(ii) if the person referred to in sub-clause (i), has attained the age of fifty years on the date of issue or as the case may be, renewal thereof, be effective, on payment of such fee as may be prescribed, for a period of five years from the date of such issue or renewal;"

Amend-
ment of
section 26.

10. In section 26 of the principal Act, in sub-section (2), for the words "printed copy", the words "printed copy or copy in such other form as the Central Government may require" shall be substituted.

Amend-
ment of
section 41.

11. In section 41 of the principal Act, in sub-section (14), for the words "original registering authority", the words "last registering authority" shall be substituted.

Amend-
ment of
section 42

12. In section 43 of the principal Act,—

(a) in the proviso to sub-section (2), for the words "with a body", the words "with a body or any unforeseen circumstances beyond the control of the owner" shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) In a case where the motor vehicle is held under hire-purchase agreement, lease or hypothecation, the registering authority or other prescribed authority shall issue a temporary certificate of registration of such vehicle, which shall incorporate legibly and prominently the full name and address of the person with whom such agreement has been entered into by the owner."

Amend-
ment of
section 48

13. In section 48 of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely:—

"(6) The owner of the vehicle shall also inform at the earliest, in writing, the registering authority about the theft of his vehicle together with the name of the police station where the theft report was lodged, and the registering authority shall take into account such report while disposing of any application for no objection certification, registration, transfer of ownership or issue of duplicate registration certificate."

Amend-
ment of
section 51

14. In section 51 of the principal Act —

(a) in sub-section (2),—

(i) for the words "original registering authority", the words "last registering authority" shall be substituted;

(ii) the following shall be added at the end, namely:—

"and an intimation in this regard shall be sent to the original registering authority if the last registering authority is not the original registering authority";

(b) in sub-section (3),—

(i) for the words "original registering authority", the words "last registering authority" shall be substituted;

(ii) the following shall be added at the end, namely:—

"and an intimation in this behalf shall be sent to the original registering authority if the last registering authority is not the original registering authority";

(c) in sub-section (5), after the words "taken possession of the vehicle", the words "from the registered owner" shall be inserted;

(d) in sub-section (6), for the words and figures "under section 47, make an application", the words and figures "under section 47, or removal of the vehicle to another State, or at the time of conversion of the vehicle from one class to another, or for issue of no objection certificate under section 48, or for change of residence or place of business under section 49, or for the alteration of the vehicle under section 52, make an application" shall be substituted;

(e) in sub-section (10), after the word "communicate", the words "by registered post acknowledgment due" shall be inserted;

(f) for sub-section (11), the following sub-sections shall be substituted, namely:—

"(11) A registering authority registering the new vehicle, or issuing the duplicate certificate of registration or a no objection certificate or a temporary certificate of registration, or issuing or renewing, a fitness certificate or substituting entries relating to another motor vehicle in the permit, shall intimate the financier of such transaction.

(12) The registering authority where it is not the original registering authority, when making entry under sub-section (1) or sub-section (2), or cancelling the said entry under sub-section (3) or issuing the fresh certificate of registration under sub-section (5) shall communicate the same to the original registering authority."

15 In section 52 of the principal Act,—

(i) in sub-section (1), after the proviso the following proviso shall be inserted, namely:—

"Provided further that modification of the engine, or any part thereof, of a vehicle for facilitating its operation by a different type of fuel or source of energy including battery, compressed natural gas, solar power or any other fuel or source of energy other than liquid petroleum gas shall be treated as an alteration but that shall be subject to such conditions as may be prescribed."

(ii) after sub-section (5), the following sub-section and *Explanation* shall be inserted, namely:—

"(6) No person holding a vehicle under a hire-purchase agreement shall make any alteration to the vehicle for which approval of the registering authority is required under sub-section (1), except with the written consent of the registered owner.

Explanation.—For the purposes of this section, "alteration" means a change in the structure of a vehicle which results in change in its basic feature'

Amend-
ment of
section 52.

Amend-
ment of
section
56.

16. In section 56 of the principal Act, after sub-section (4), the following proviso shall be inserted, namely:—

“Provided that no such cancellation shall be made by the prescribed authority unless such prescribed authority holds such technical qualification as may be prescribed or where the prescribed authority does not hold such technical qualification on the basis of the report of an officer having such qualifications.”.

Amend-
ment of
section 57.

17. In section 57 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Any person aggrieved by an order of the registering authority under section 41, 42, 43, 45, 47, 48, 49, 50, 52, 53, 55 or 56 may, within thirty days of the date on which he has received notice of such order, appeal against the order to the prescribed authority.”.

Amend-
ment of
section
58.

18. In section 58 of the principal Act, in sub-section (1), for the words “maximum safe laden weight”, the words “maximum gross vehicle weight” shall be substituted.

Amend-
ment of
section
63.

19. In section 63 of the principal Act, in sub-section (2), after the words “shall supply to the Central Government”, the words “if so desired by it” shall be inserted.

Amend-
ment of
section
66.

20. In section 66 of the principal Act,—

(i) in sub-section (2), the following proviso shall be added, namely:—

“Provided that the holder of a permit of any articulated vehicle may use the prime-mover of that articulated vehicle for any other semi-trailor.”;

(ii) in sub-section (3), for clause (1), the following clause shall be substituted, namely:—

“(1) to any motor vehicle which is operated by electric battery, compressed natural gas or solar energy.”

Amend-
ment of
section 67.

21. In section 67 of the principal Act, in sub-section (1), after clause (i), the following proviso shall be inserted, namely:—

“Provided that the fares and freights in respect of such stage carriages, contract carriages and goods carriages operated by battery, compressed natural gas or solar energy shall be fixed by the owner or operator.”.

Amend-
ment of
section 68.

22. In section 68 of the principal Act, in sub-section (3), after clause (c), the following clause shall be inserted, namely:—

“(ca) Government to formulate routes for plying stage carriages;”.

Amend-
ment of
section 71

23. In section 71 of the principal Act,—

(a) the proviso to sub-section (1) shall be omitted;

(b) in sub-section (3), in the proviso to clause (d),—

(i) in clause (ii), the word “or”, occurring at the end, shall be omitted;

(ii) in clause (iii), the word “or” shall be inserted at the end, and after clause (iii) as so amended, the following clause shall be inserted, namely:—

“(iv) any other class or category of persons, as the State Government may, for reasons to be recorded in writing, consider necessary.”;

(c) sub-sections (4) and (5) shall be omitted.

24. In section 75 of the principal Act, in sub-section (1), for the words “motor cabs to persons desiring to drive the cabs”, the words “motor cabs or motor cycles to persons desiring to drive either by themselves or through drivers, motor cabs or motor cycles” shall be substituted.

Amend-
ment of
section 75.

25. In section 80 of the principal Act, for the words “Regional Transport Authority”, wherever they occur, the words “Regional Transport Authority, State Transport Authority or any prescribed authority referred to in sub-section (1) of section 66” shall be substituted.

Amend-
ment of
section 80

26. In section 81 of the principal Act, in sub-section (1), for the words “without renewal”, the words “from the date of issuance or renewal thereof” shall be substituted.

Amend-
ment of
section 81.

27. In section 88 of the principal Act,—

Amend-
ment of
section 88

(a) in sub-section (8), for the words “grant a special permit in relation to a vehicle covered”, the words “grant a special permit to any public service vehicle including any vehicle covered” shall be substituted;

(b) in sub-section (9), for the word and figures “and 89”, the words, brackets, letter and figures “clause (d) of sub-section (1) of section 87 and section 89” shall be substituted;

(c) sub-section (10) shall be omitted;

(d) in sub-section (12), for the word and figures “and 89”, the words, brackets, letter and figures “clause (d) of sub-section (1) of section 87 and section 89” shall be substituted;

(e) sub-section (13) shall be omitted.

28. In section 89 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

Amend-
ment of
section 89.

“(2) The State Government shall constitute such number of Transport Appellate Tribunals as it thinks fit and each such Tribunal shall consist of a judicial officer who is not below the rank of a District Judge or who is qualified to be a Judge of the High Court and it shall exercise jurisdiction within such area as may be notified by that Government.”.

Amend-
ment of
section
91

29. In section 91 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) the hours of work of any person engaged for operating a transport vehicle shall be such as provided in the Motor Transport Workers Act, 1961".

27 of 1961

Amend-
ment of
section 99.

30. Section 99 of the principal Act shall be re-numbered as sub-section (1) thereof and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

"(2) Notwithstanding anything contained in sub-section (1), when a proposal is published under that sub-section, then from the date of publication of such proposal, no permit shall be granted to any person, except a temporary permit during the pendency of the proposal and such temporary permit shall be valid only for a period of one year from the date of its issue or till the date of final publication of the scheme under section 100, whichever is earlier."

Amend-
ment of
section
109

31. In section 109 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) If the Central Government is of the opinion that it is necessary or expedient so to do in the public interest, it may by order published in the Official Gazette, notify that any article or process used by a manufacturer shall conform to such standard as may be specified in that order."

Amend-
ment of
section
110.

32. In section 110 of the principal Act,—

(a) in sub-section (1),—

(i) for clause (b), the following clause shall be substituted namely:—

"(b) the size, nature, maximum retail price and condition of tyres, including embossing thereon of date and year of manufacture, and the maximum load carrying capacity;"

(ii) after clause (m), the following clauses shall be inserted namely:—

"(n) installation of catalytic converters in the class of vehicles to be prescribed;

(o) the placement of audio-visual or radio or tape recorder type of devices in public vehicles;

(p) warranty after sale of vehicle and norms therefor."

Amend-
ment of
section
111.

33. In section 111 of the principal Act, in sub-section (2),—

(a) in clause (d), after the words "by prescribed authorities", the words "and fees to be charged for such test" shall be inserted;

(b) clause (g) shall be omitted.

Amend-
ment of
section
113.

34. In section 113 of the principal Act, in sub-section (1), for the words "heavy goods vehicles or heavy passenger motor vehicles", the words "transport vehicles" shall be substituted.

35. In section 114 of the principal Act, in sub-section (1), for the words beginning with "any person authorised" and ending with the words "contravention of section 113", the words "any officer of the Motor Vehicles Department authorised in this behalf by the State Government shall, if he has reason to believe that a goods vehicle or trailer is being used in contravention of section 113" shall be substituted.

Amend-
ment of
section
114

36. In section 116 of the principal Act, in sub-section (7), for the words "the Schedule", at both the places where they occur, the words "the First Schedule" shall be substituted.

Amend-
ment of
section
116.

37. In section 127 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

Amend-
ment of
section
127.

"(1) Where any motor vehicle is abandoned or left unattended on a public place for ten hours or more or is parked in a place where parking is legally prohibited, its removal by a towing service or its immobilisations by any means including wheel clamping may be authorised by a police officer in uniform having jurisdiction.";

(b) in sub-section (2), for the word "highway", at both the places where it occurs, the words "public place" shall be substituted.

38. In section 129 of the principal Act, for the words "a protective headgear of such descriptions as may be specified by the State Government by rules made by it in this behalf, and different descriptions of headgears may be specified in such rules in relation to different circumstances or different class or description of motor cycles", the words "protective headgear conforming to the standards of Bureau of Indian Standards" shall be substituted.

Amend-
ment of
section
129

39. In section 130 of the principal Act,—

(a) for sub-section (2), the following sub-section shall be substituted, namely:—

Amend-
ment of
section
130.

"(2) The conductor, if any, of a motor vehicle on any public place shall on demand by any officer of the Motor Vehicles Department authorised in this behalf, produce the licence for examination.";

(b) for sub-section (3), the following shall be substituted, namely:—

"(3) The owner of a motor vehicle (other than a vehicle registered under section 60), or in his absence the driver or other person in charge of the vehicle, shall, on demand by a registering authority or any other officer of the Motor Vehicles Department duly authorised in this behalf, produce the certificate of insurance of the vehicle and where the vehicle is a transport vehicle, also the certificate of fitness referred to in section 56 and the permit; and if any or all of the certificates or the permit are not in his possession, he shall, within fifteen days from the date of demand, submit photo copies of the same, duly attested in person or send the same by registered post to the officer who demanded it

Explanation.—For the purposes of this sub-section, “certificate of insurance” means the certificate issued under sub-section (3) of section “147.”

Amend-
ment of
section
132.

40. In section 132 of the principal Act, in sub-section (1),—

(a) for the words “may reasonably be necessary”, the words “may for such reasonable time as may be necessary, but not exceeding twenty-four hours” shall be substituted;

(b) for clause (a), the following clause shall be substituted, namely:—

“(a) when required to do so by any police officer not below the rank of a Sub-Inspector in uniform, in the event of the vehicle being involved in the occurrence of an accident to a person, animal or vehicle or of damage to property, or”;

(c) clause (c) shall be omitted.

Amend-
ment of
section
134.

41. In section 134 of the principal Act,—

(a) in clause (a), for the words “and if necessary, convey him to the nearest hospital”, the words “by conveying him to the nearest medical practitioner or hospital, and it shall be the duty of every registered medical practitioner or the doctor on duty in the hospital immediately to attend to the injured person and render medical aid or treatment without waiting for any procedural formalities” shall be substituted;

(b) after clause (b), the following clause and *Explanation* shall be inserted, namely:—

“(c) give the following information in writing to the insurer, who has issued the certificates of insurance, about the occurrence of the accident, namely:—

(i) insurance policy number and period of its validity;

(ii) date, time and place of accident;

(iii) particulars of the persons injured or killed in the accident;

(iv) name of the driver and the particulars of his driving licence.

Explanation.—For the purposes of this section, the expression “driver” includes the owner of the vehicle.”

Amend-
ment of
section
136

42. In section 136, in the proviso, for the words “without unnecessary delay”, the words “after completion of the formalities to the owner, driver or the person in charge of the vehicle within twenty-four hours” shall be substituted.

Amend-
ment of
section
140.

43. In section 140 of the principal Act,—

(a) in sub-section (2),—

(i) for the words “twenty-five thousand rupees”, the words “fifty thousand rupees” shall be substituted;

(ii) for the words "twelve thousand rupees", the words "twenty-five thousand rupees" shall be substituted;

(b) after sub-section (4), the following shall be inserted, namely:—

"(5) Notwithstanding anything contained in sub-section (2) regarding death or bodily injury to any person, for which the owner of the vehicle is liable to give compensation for relief, he is also liable to pay compensation under any other law for the time being in force:

Provided that the amount of such compensation to be given under any other law shall be reduced from the amount of compensation payable under this section or under section 163A."

44. In section 141 of the principal Act, in sub-section (1), for the words and bracket "any other right (hereafter", the words, figures, letter and bracket "any other right, except the right to claim under the scheme referred to section 163A (such other right hereafter" shall be substituted

Amend-
ment of
section
141.

45. In section 146 of the principal Act, in sub-section (1), before the *Explanation*, the following proviso shall be inserted, namely:—

Amend-
ment of
section
146.

6 of 1991.

"Provided that in the case of a vehicle carrying, or meant to carry, dangerous or hazardous goods, there shall also be a policy of insurance under the Public Liability Insurance Act, 1991."

46. In section 147 of the principal Act, in sub-section (1), in clause (b), in sub-clause (i), for the words "injury to any person", the words "injury to any person, including owner of the goods or his authorised representative carried in the vehicle" shall be substituted.

Amend-
ment of
section
147.

47. In section 149 of the principal Act, in sub-section (1), after the brackets and words "(being a liability covered by the terms of the policy)", the words, figures and letter "or under the provisions of section 163A" shall be inserted.

Amend-
ment of
section
149.

48. In section 157 of the principal Act, after sub-section (1), the following *Explanation* shall be inserted, namely:—

Amend-
ment of
section
157.

"*Explanation*.—For the removal of doubts, it is hereby declared that such deemed transfer shall include transfer of rights and liabilities of the said certificate of insurance and policy of insurance".

49. In section 158 of the principal Act, for sub-section (6), the following sub-section shall be substituted, namely:—

Amend-
ment of
section
158

"(6) As soon as any information regarding any accident involving death or bodily injury to any person is recorded or report under this section is completed by a police officer, the officer incharge of the police station shall forward a copy of the same within thirty days from the date of recording of information or as the case may be, on completion of such report to the Claims Tribunal having jurisdiction and a copy thereof to the concerned insurer, and where a copy is made available to the owner, he shall also within thirty days of receipt of such report forward the same to such Claims Tribunal and Insurer."

Amend-
ment of
section
161.

50. In section 161 of the principal Act, in sub-section (3),—

(a) in clause (a), for the words “eight thousand and five hundred rupees”, the words “twenty-five thousand rupees” shall be substituted;

(b) in clause (b), for the words “two thousand rupees”, the words “twelve thousand and five hundred rupees” shall be substituted.

Insertion
of new
sections
163A and
163B.

51. After section 163 of the principal Act, the following sections shall be inserted, namely:—

Special
provi-
sions
as to
payment
of com-
pensation
on struc-
tured
formula
basis.

‘163A. (1) Notwithstanding anything contained in this Act or in any other law for the time being in force or instrument having the force of law, the owner of the motor vehicle of the authorised insurer shall be liable to pay in the case of death or permanent disablement due to accident arising out of the use of motor vehicle, compensation, as indicated in the Second Schedule, to the legal heirs or the victim, as the case may be.

Explanation.—For the purposes of this sub-section, “permanent disability” shall have the same meaning and extent as in the Workmen’s Compensation Act, 1923.

8 of 1923

(2) In any claim for compensation under sub-section (1), the claimant shall not be required to plead or establish that the death or permanent disablement in respect of which the claim has been made was due to any wrongful act or neglect or default of the owner of the vehicle or vehicles concerned or of any other person.

(3) The Central Government may, keeping in view the cost of living by notification in the Official Gazette, from time to time amend the Second Schedule.

Option
to file
claim in
certain
cases.

163B. Where a person is entitled to claim compensation under section 140 and section 163A, he shall file the claim under either of the said sections and not under both.’

Amend-
ment of
section
165.

52. In section 165 of the principal Act,—

(a) in sub-section (1), in the *Explanation*, the words, figures and letter “and section 163A” shall be added at the end;

(b) in sub-section (3), in clause (c), the words “or as a District Judge” shall be added at the end.

Amend-
ment of
section
166.

53. In section 166 of the principal Act,—

(a) for sub-section (2), the following shall be substituted, namely:—

“(2) Every application under sub-section (1) shall be made, at the option of the claimant, either to the Claims Tribunal

having jurisdiction over the area in which the accident occurred, or to the Claims Tribunal within the local limits of whose jurisdiction the claimant resides or carries on business or within the local limits of whose jurisdiction the defendant resides, and shall be in such form and contain such particulars as may be prescribed:

Provided that where no claim for compensation under section 140 is made in such application, the application shall contain a separate statement to that effect immediately before the signature of the applicant.”;

(b) sub-section (3) shall be omitted;

(c) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The Claims Tribunal shall treat any report of accidents forwarded to it under sub-section (6) of section 158 as an application for compensation under this Act.”.

54. After section 182 of the principal Act, the following section shall be inserted, namely:—

“182A. Any person who contravenes the provisions of sub-section (3) of section 109, shall be punishable with a fine of one thousand rupees for the first offence, and with a fine of five thousand rupees for any subsequent offences.”.

55. In section 185 of the principal Act, for clause (a), the following clause shall be substituted, namely:—

“(a) has, in his blood, alcohol exceeding 30 mg. per 100 ml. of blood detected in a test by a breath analyser, or”.

56. For section 192 of the principal Act, the following sections shall be substituted, namely:—

“192. (1) Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of section 39 shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees for a second or subsequent offence with imprisonment which may extend to one year or with fine which may extend to ten thousand rupees but shall not be less than five thousand rupees or with both:

Provided that the Court may, for reasons to be recorded, impose a lesser punishment.

Insertion of new section 182A.

Punishment for offences relating to construction and maintenance of vehicles.

Amendment of section 185.

Substitution of new sections for section 192.

Using vehicle without registration.

(2) Nothing in this section shall apply to the use of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injuries or for the transport of food or materials to relieve distress or of medical supplies for a like purpose:

Provided that the person using the vehicle reports about the same to the Regional Transport Authority within seven days from the date of such use.

(3) The court to which an appeal lies from any conviction in respect of an offence of the nature specified in sub-section (1), may set aside or vary any order made by the court below, notwithstanding that no appeal lies against the conviction in connection with which such order was made.

Using
vehicle
without
permit

192A. (1) Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of sub-section (1) of section 66 or in contravention of any condition of a permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees and for any subsequent offence with imprisonment which may extend to one year but shall not be less than three months or with fine which may extend to ten thousand rupees but shall not be less than five thousand rupees or with both:

Provided that the court may for reasons to be recorded, impose a lesser punishment.

(2) Nothing in this section shall apply to the use of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injury or for the transport of materials for repair or for the transport of food or materials to relieve distress or of medical supplies for a like purpose:

Provided that the person using the vehicle reports about the same to the Regional Transport Authority within seven days from the date of such use.

(3) The court to which an appeal lies from any conviction in respect of an offence of the nature specified in sub-section (1), may set aside or vary any order made by the court below, notwithstanding that no appeal lies against the conviction in connection with which such order was made.”.

Amend-
ment of
section
194

57. In section 194 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of section 113 or section 114 or section 115 shall be punishable with minimum fine of two thousand rupees and an additional amount of one thousand rupees per tonne of excess load, together with the liability to pay charges for off-loading of the excess load.”.

58. In section 200 of the principal Act, in sub-section (1), for the word and figures "section 189," the words, figures and brackets "section 189, sub-section (2) of section 190" shall be substituted.

Amend-
ment of
section
200

59. In section 201 of the principal Act,—

Amend-
ment of
section
201.

(a) in sub-section (1), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that where the vehicle is removed by a Government agency, towing charges shall be recovered from the vehicle owner or person in-charge of such vehicle.";

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Penalties or towing charges under this section shall be recovered by such officer or authority as the State Government may, by notification in the Official Gazette, authorise."

60. In section 202 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

Amend-
ment of
section
202.

"(2) A police officer in uniform may arrest without warrant any person, who has committed an offence under this Act, if such person refuses to give his name and address."

61. In section 203 of the principal Act, for sub-section (1), the following shall be substituted, namely:—

Amend-
ment of
section
203.

"(1) A police officer in uniform or an officer of the Motor Vehicles Department, as may be authorised in this behalf by that Department, may require any person driving or attempting to drive a motor vehicle in a public place to provide one or more specimens of breath for breath test there or nearby, if such police officer or officer has any reasonable cause to suspect him of having committed an offence under section 185:

Provided that requirement for breath test shall be made (unless it is made) as soon as reasonably practicable after the commission of such offence."

62. In section 212 of the principal Act, in sub-section (4), after the words, brackets and figures "sub-section (1) of section 112", the words, brackets, figures and letter "sub-section (4) of section 163A" shall be inserted.

Amend-
ment of
section
212.

63. The Schedule to the principal Act shall be numbered as the First Schedule thereof.

Amend-
ment of
the
Schedule.

64. After the First Schedule, as so renumbered, the following Schedule shall be inserted, namely:—

Insertion
of new
Schedule.

THE SECOND SCHEDULE

(See section 163A)

SCHEDULE FOR COMPENSATION FOR THIRD PARTY FATAL ACCIDENTS/INJURY CASES CLAIMS

1. Fatal Accidents :

Annual Income		Rs. 3000	Rs. 4200	Rs. 5400	Rs. 6600	Rs. 7800	Rs. 9000	Rs. 10200	Rs. 11400	Rs. 12600	Rs. 13800	Rs. 15000	Rs. 16200	Rs. 17400	Rs. 18600
AGE OF VICTIM	MULTIPLIER	RUPEES IN THOUSANDS													
		compensation in case of death													
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Up to 15 yrs.	15	60	84	108	132	156	180	204	228	240	260	280	300	320	340
Above 15 yrs. but not exdg. 20 yrs.	16	57	79.8	102	125.4	148.2	171	193.8	216.6	228	242	256	270	284	298
Above 20 yrs. but not exdg. 25 yrs.	17	54	75.6	97.2	118.8	140.4	162	183.6	205.2	216	224	232	240	248	256
Above 25 yrs. but not exdg. 30 yrs.	18	51	71.4	91.8	112.2	132.6	153	173.4	193.8	204	206	208	210	212	214
Above 30 yrs. but not exdg. 35 yrs.	17	50	67.2	86.4	105.6	124.8	144	163.2	182.4	192	198	204	210	216	222
Above 35 yrs. but not exdg. 40 yrs.	16	50	63	81	99	117	135	153	171	180	180	180	180	180	180
Above 40 yrs. but not exdg. 45 yrs.	15	50	58.8	75.6	92.4	109.2	126	142.8	159.6	168	172	176	180	184	188
Above 45 yrs. but not exdg. 50 yrs.	13	50	50.4	64.8	79.2	93.6	108	122.4	136.8	144	146	148	150	152	154
Above 50 yrs. but not exdg. 55 yrs.	11	50	50	54	58	62	66	70	74	78	80	82	84	86	88
Above 55 yrs. but not exdg. 60 yrs.	10	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Above 60 yrs. but not exdg. 65 yrs.	5	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Above 65 yrs.	5	50	50	50	50	50	50	50	50	50	50	50	50	50	50

NOTE: The amount of compensation so arrived at in the case of fatal accident claims shall be reduced by 1/3rd in consideration of the expenses which the victim would have incurred towards maintaining himself had he been alive.

2. Amount of compensation shall not be less than Rs. 50,000.

3. *General Damage (in case of death) :*

The following General Damages shall be payable in addition to compensations outlined above:

(i) Funeral expenses	- Rs. 2,000/-
(ii) Loss of Consortium, if beneficiary is the spouse	Rs. 5,000/-
(iii) Loss of Estate	- Rs. 2,500/-
(iv) Medical Expenses— actual expenses incurred before death supported by bills/vouchers but not exceeding	- Rs. 15,000/-

4. *General Damages in case of injuries and Disabilities :*

(i) Pain and Sufferings	
(a) Grievous injuries	- Rs. 5,000/-
(b) Non-grievous injuries	Rs. 1,000/-
(ii) Medical Expenses— actual expenses incurred supported by bills/vouchers but not exceeding as one time payment	- Rs. 15,000/-

5. *Disability in non-fatal accidents :*

The following compensation shall be payable in case of disability to the victim arising out of non-fatal accidents

Loss of income, if any, for actual period of disablement not exceeding fifty-two weeks.

PLUS either of the following :-

(a) In case of permanent total disablement the amount payable shall be arrived at by multiplying the annual loss of income by the Multiplier applicable to the age on the date of determining the compensation, or

(b) In case of permanent partial disablement such percentage of compensation which would have been payable in the case of permanent total disablement as specified under item (a) above.

Injuries deemed to result in Permanent total Disablement/Permanent Partial Disablement and percentage of loss of earning capacity shall be as per Schedule I under Workmen's Compensation Act, 1923 (18

6 National income for compensation to those who had no income prior to accident

1.1 and disability in non-fatal accidents

(i) Non-earning persons

Rs. 15,000 p.a.

(ii) Spouse

Rs. 1/3rd of income of the
earning surviving spouse

In case of other injuries only "General Damages" as applicable

STATEMENT OF OBJECTS AND REASONS

The Motor Vehicles Act, 1988 (59 of 1988) consolidated and rationalised various laws regulating road transport. The Act came into force with effect from 1st July, 1989 replacing the Motor Vehicles Act, 1939.

2. After the coming into force of the Motor Vehicles Act, 1988, Government received a number of representations and suggestions from the State Governments, transport operators and members of public regarding the inconvenience faced by them because of the operation of some of the provisions of the 1988 Act. A Review Committee was, therefore, constituted by the Government in March, 1990 to examine and review the 1988 Act.

3. The recommendations of the Review Committee were forwarded to the State Governments for comments and they generally agree with these recommendations. The Government also considered a large number of representations received, after finalisation of the Report of the Review Committee, from the transport operators and public for making amendments in the Act. The draft of the proposals based on the recommendation of the Review Committee and representations from the public were placed before the Transport Development Council for seeking their views in the matter. The important suggestions made by the Transport Development Council relate to, or are on account of,—

(a) the introduction of newer type of vehicles and fast increasing number of both commercial and fast increasing number of both commercial and personal vehicles in the country;

(b) providing adequate compensation to victims of road accidents without going into longdrawn procedure;

(c) protecting consumers' interests in Transport Sector;

(d) concern for road safety standards, transport of hazardous chemicals and pollution control;

(e) delegation of greater powers to State Transport Authorities and rationalising the role of police authorities in certain matters;

(f) the simplification of procedures and policy liberalisation in the field of Road Transport.

(g) enhancing penalties for traffic offenders.

4. Therefore, the proposed legislation has been prepared in the light of the above background. The Bill, *inter alia*, provides for—

(a) modification and amplification of certain definitions of new type of vehicles,

(b) simplification of procedure for grant of driving licences;

(c) putting restrictions on the alteration of vehicles;

(d) certain exemptions for vehicles running on non-polluting fuels;

(e) ceilings on individuals or company holdings removed to curb 'benami' holdings;

(f) States authorised to appoint one or more State Transport Appellate Tribunals;

(g) punitive checks on the use of such components that do not conform to the prescribed standards by manufacturers, and also stocking|sale by the traders;

(h) increase in the amount of compensation to the victims of hit and run cases;

(i) removal of time limit for filing of application by road accident victims for compensation;

(j) punishment in case of certain offences is made stringent;

(k) a new pre-determined formula for payment of compensation to road accident victims on the basis of age|income, which is more liberal and rational.

5. The Law Commission in its 119th Report had recommended that every application for a claim be made to the Claims Tribunal having jurisdiction over the area in which the accident occurred or to the Claims Tribunal within the local limits of whose jurisdiction the claimant resides or carries on business or within the local limits of whose jurisdiction the defendant resides, at the option of the claimant. The Bill also makes necessary provision to give effect to the said recommendation.

6. The Bill seeks to achieve the above objectives.

NEW DELHI.

JAGDISH TYLER.

The 30th May, 1994.

Notes on clauses

Clause 2 of the Bill seeks to amend section 2 of the Motor Vehicles Act, 1938 so as to elaborate certain words and expressions. It also seeks to define *manufacturer* as a person who is engaged in the manufacture of motor vehicles.

Clause 3 seeks to amend section 3 as a consequence of amendment of section 75 permitting the renting of motor cycles.

Clause 4 seeks to amend section 4 so as to substitute the words "motor cycles without gear" with the words "motor cycle with engine capacity not exceeding 50 c.c."

Clause 5 seeks to substitute sub-section (1) of section 7 to provide that to obtain a learner's licence for a transport vehicle the applicant must have a driving licence for light motor vehicles for one year.

Clause 6 seeks to add a new proviso to section 8 to the effect that no medical certificate would be required for licence to drive a vehicle other than a transport vehicle.

Clause 7 seeks to substitute sub-sections (3) and (5) of section 9 regarding test of competence and the period for re-appearance for such test respectively.

Clause 8 seeks to amend section 10 so as to re-classify the vehicles for the purposes of driving licence.

Clause 9 seeks to add a proviso to sub-section (2) of section 14 so as to provide that a driving licence to drive motor vehicles carrying dangerous or hazardous goods shall be effective for a period of one year and at the time of renewal of such licence the driver shall undergo one day's refresher course. The said clause also makes an amendment to raise the period of currency of a driving licence from the present age of 10 years to 50 years.

Clause 10 seeks to amend section 26 so as to provide for a copy, in such form as the Central Government may require, of the State Registrar of driving licence, or supply a printed copy thereof as at present.

Clause 11 seeks to amend sub-section (14) of section 41 so as to provide for making of an application for issue of a duplicate certificate of registration to the last registering authority instead of the original registering authority.

Clause 12 seeks to amend section 43 relating to temporary registration of vehicles. The amendment provides for extension of period of temporary registration, if the body could not be fitted to the vehicle (which is a chassis) because of any unforeseen circumstances beyond the control of the owner. This clause also inserts a new clause (3) in section 43 to

provide that where such vehicle is held under a hire purchase agreement the temporary registration certificate shall incorporate legibly and prominently full name and address of the person with whom such agreement has been entered.

Clause 13 seeks to insert a new sub-section (6) in section 48 making it obligatory for the owner to inform the registering authority about the theft of the vehicle.

Clause 14 seeks to make certain amendments in section 51 of a consequential nature, because of amendments to sections 41, 43 and 48, etc., It also seeks to modify sub-section (11) regarding intimation to be sent to the financiers in case of certain transactions.

Clause 15 seeks to amend section 52 to elaborate the procedure of alteration to be carried in the motor vehicle.

Clause 16 seeks to amend section 56 so as to provide that the prescribed authority, where it is not technically qualified, shall act on the basis of the report of an officer having technical qualifications.

Clause 17 seeks to amend section 57 relating to appeals, so as to include appeals against the orders, etc., under sections 41, 42, etc.

Clause 18 seeks to amend section 58 to specify the maximum gross vehicle weight in respect of transport vehicle, instead of the maximum safe laden weight as at present.

Clause 19 seeks to amend section 63 so as to provide that the information relating to register of motor vehicles shall be furnished to the Central Government if so required by that Government.

Clause 20 seeks to amend section 66 so as to allow the owner of an articulated vehicle to use the prime mover of that articulated vehicle for any other semi-trailer.

Clause 21 seeks to amend section 67 to allow the owners or operators of stage carriages, contract carriages and goods carriages operated by battery, compressed natural gas or solar energy to fix the fares and freights in respect of such carriages for specified period.

Clause 22 seeks to amend section 68 to empower the Government to formulate routes for plying stage carriages.

Clause 23 seeks to amend the proviso to section 71 to remove the existing restrictions regarding grant of permit for a route of 50 kms or less only to the individuals. It also empowers the State Governments to give preference to any class or category of persons in the matter of grant of permits.

Clause 24 seeks to amend section 75 to include motor cycles in the scheme for Renting of Motor Cabs.

Clause 25 seeks to amend section 80 so as to provide for making of applications, etc., for grant of permits not only to the Regional Transport

Authority, but also to the State Transport Authority or any other prescribed authority.

Clause 26 seeks to amend section 81 so as to provide that the temporary permit shall be effective from the date of issuance or renewal thereof for a period of five years.

Clause 27 seeks to amend section 88 to include public service vehicles for grant of permits. It also provides for application of provisions of section 81 in the case of tourist permits, etc., in situations.

Clause 28 seeks to amend section 89 to empower the State Governments to appoint one or more Transport Appellate Tribunal.

Clause 29 seeks to amend section 91 so as to provide that the provisions of the Motor Transport Workers' Act, 1961 relating to hours of work shall apply to any person engaged for operating a transport vehicle.

Clause 30 seeks to amend section 99 that where a proposal for nationalisation has been published, a temporary permit valid for one year from the date of its issue or till the date of final publication of the proposal under section 100, whichever is earlier shall be issued.

Clause 31 seeks to amend section 109 to empower the Central Government to prescribe the standards of articles or process used by a manufacturer.

Clause 32 seeks to amend section 110 so as to empower the Central Government to provide for, by rules, embossing of price etc., on tyres, installation of catalytic converters in the class of vehicles to be prescribed, placement of Audio-visual equipment, etc. in public vehicles, warranty after sale of vehicle and norms therefor.

Clause 33 seeks to amend section 111 to empower the State Governments to prescribe, by rules, fees to be charged for periodical testing inspection of vehicles.

Clause 34 seeks to amend section 113 to substitute the words "heavy goods vehicles or heavy passenger vehicles" by the words "transport vehicles".

Clause 35 seeks to amend sub-section (1) of section 114 to authorise only an officer of Motor Vehicles Department to check transport vehicles for violation of maximum load limits.

Clause 36 seeks to amend section 116 consequent to the renumbering of the existing Schedule as the first Schedule.

Clause 37 seeks to amend section 127 so as to empower a police officer in uniform to immobilise the vehicles which have been abandoned or left unattended on a public place for more than 10 hours.

Clause 38 seeks to amend section 129 to make the wearing of a protective headgear conforming to the standards of Bureau of Indian Standards obligatory.

Clause 39 seeks to amend section 130 so as to empowers only the officers of Motor Vehicle Department authorised in this behalf to require a conductor to produce the licence for examination. It also provides that where the requisitioned documents are not in possession of the owner of the vehicle the same or a photo copy thereof shall be submitted, either in person or through registered post within 15 days to the officer who demanded it.

Clause 40 seeks to amend section 132 so as to prescribe a time limit of 24 hours up to which a vehicle may remain stationary when required by a police officer not below the rank of a Sub-Inspector, etc.

Clause 41 seeks to amend section 134 so as to make it obligatory on the driver or the person in charge of the vehicle to convey the injured person to the nearest hospital. It also casts a duty on every registered medical practitioner to attend to the injured person without waiting for any procedural formalities. It further provides for furnishing of information relating to accidents, etc., to the insurer.

Clause 42 seeks to amend proviso to section 136 so as to prescribe a time limit of 24 hours after the completion of the formalities for return of the vehicle involved in the accident to the driver or person in-charge of the vehicle.

Clause 43 seeks to amend section 140 so as to increase the amount of compensation from twenty-five thousand rupees to rupees fifty thousand and in the case of death and from twelve thousand rupees to twenty-five thousand rupees in case of permanent disability. It also provides that the compensation under this section shall be in addition to what the owner of the vehicle is liable to pay as compensation for relief under any other law. However, the amount payable under section 140 or the proposed section 163. A shall be reduced by the amount of compensation for relief given by the owner under the said other law.

Clause 44 seeks to amend section 141 so as to provide that the right to claim compensation may be exercised either under-section 163 or section 140.

Clause 45 which amends section 146, makes it obligatory the taking of policy under the Public Liability Act in the case of vehicles carrying dangerous or hazardous goods.

Clause 46 seeks to amend section 147 to include the owner of the goods or his authorised representative carried in the vehicle for the purposes of liability under the insurance policy.

Clause 47 seeks to amend section 149 consequent to the proposed in section of new section 163A.

Clause 48 seeks to amend section 157 so as to clarify that on the transfer of a vehicle, the rights and liabilities as were mentioned in the Certificate of Insurance and the Policy of Insurance before such transfer shall also stand transferred.

Clause 49 seeks to amend section 158 to make it obligatory on the part of the police officer and the owner of the vehicle involved in the accident to forward a copy of the report of such accident within 30 days from the date of completion of that report to the Claim Tribunals.

Clause 50 seeks to amend section 161 to raise the quantum of compensation in hit and run motor accidents from eight thousand five hundred rupees to twenty-five thousand rupees in the case of death, and from two thousand rupees to twelve thousand five hundred rupees in the case of permanent disability.

Clause 51 seeks to insert new section 163A to provide for payment of compensation in motor accident cases on a pre-determined formula given in the Second Schedule. The Central Government has been empowered to amend the Second Schedule as and when considered necessary.

Clause 52 seeks to amend section 165 consequent to the proposed insertion of new section 163A. It also provides that a person who is qualified for appointment as a District Judge could be appointed as a Member of the Claims Tribunal.

Clause 53 seeks to amend section 166 to provide for a simplified procedure for filing of applications for compensation. It also provides for removal of time limit for filing of such applications. It also provides that the Claims Tribunals shall treat a report received under sub-section (6) of section 158 as an application for compensation under this Act.

Clause 54 seeks to insert new section 182A so as to provide for punishment for offences relating to violation of provisions of construction and maintenance of vehicles.

Clause 55 seeks to amend section 185 which lays down the limit of alcohol that should not exceed in the blood of a person driving the motor vehicle.

Clause 56 seeks to substitute new sections 192 and 192A for section 192 to provide respectively for punishment for using vehicle without registration and for punishment for using vehicle without permit.

Clause 57 seeks to amend section 194 to provide for punishment for violation of the provisions of section 113 or section 114 or section 115, with a minimum fine of two thousand rupees and an additional fine of one thousand rupees per tonne of excess load together with the liability to pay charges of off-loading of the excess load.

Clause 58 seeks to amend section 200 to include certain other offences under the Act for the purpose of composition.

Clause 59 seeks to amend section 201 to provide for recovery of towing charges from the vehicle owner or the person in-charge of the vehicle by such officer or authority as the State Government may authorise.

Clause 60 seeks to amend section 202 so as to empower a police officer in uniform to arrest any person without warrant who has committed an offence under the Act if such person refuses to give his name and address.

Clause 61 seeks to amend section 203 so as to empower all the officers of the Motor Vehicles Department, in addition to a police officer in uniform as at present, to take breath test of drivers of motor vehicles to check drunken driving.

Clause 62 seeks to amend section 212 as a consequence of the proposed new section 163A.

Clause 63 seeks to renumber the existing schedule as the First Schedule as a consequence of the proposed new schedule relating to pre-determined formula for compensation.

Clause 64 seeks to add Second Schedule to the Act relating to pre-determined formula for payment of compensation as per the proposed new section 163A.

FINANCIAL MEMORANDUM

The proposed legislation which amends certain provisions of the law relating to Motor Vehicles, *inter alia*, provides for setting-up of pollution checking centres in the public and private sector and also payment of compensation to road accident victims on the principle of 'no fault liability', both as an adhoc relief as well as full and final payment. The liability will lie on the owner/insurer of the vehicle.

2. The provision of the amended legislation would be implemented largely by the State Governments, Union Territory Administrations and the Insurance Companies. However, there are large number of Government vehicles which are not insured and liability for payment of compensation on the basis of the pre-determined formula given in the Second Schedule will have to be met from the Consolidated Fund of India. The expenditure required for implementation of the proposed legislation cannot be assessed at this stage.

3. The Bill will not involve any other expenditure of recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 seeks to amend section 9 of the Motor Vehicles Act, 1938 to provide for passing of such test for a driving licence as the Central Government may prescribe.

2. *Clause 9* seeks to amend section 14 to provide for undergoing of one day refresher course by drivers of transport vehicles carrying goods of dangerous or hazardous nature. The syllabus for the said refresher course shall be prescribed by the Central Government.

3. *Clause 15* seeks to amend sub-section (1) of section 52 to provide for alteration or modification of the engine or part thereof of a vehicle so as to enable its operation by different type of fuel or source of energy such as battery, compressed natural gas, etc., which will be subject to the condition that will be prescribed by the Central Government.

4. *Clause 21* seeks to amend section 67 by which operators or owners of goods carriages, etc., operated by battery, compressed gas or solar energy to fix the fares and freights for a specified period.

5. *Clause 32* seeks to amend section 110 to provide that the Central Government may make rules regulating the size, nature, maximum retail price, conditions of tyres including embossing thereon of date and year of manufacture and the maximum load carrying capacity; installation of catalytic converters in any class of vehicles; placement of audio visual or tape recorder, type of devices in public vehicle, warranty of sale of vehicle and norms thereof.

6. *Clause 33* seeks to amend clause (d) of sub-section (2) of section 111 to provide for charging of fees for periodical testing and inspection of vehicles as the State Government may by rules prescribe.

7. *Clause 51* seeks to insert new section 163A relating to payment of compensation on structured formula basis. Sub-section (3) of the proposed section 163A empowers the Central Government to amend the second Schedule which contains restructured formula.

8. *Clause 59* seeks to amend section 201 to provide for charging of towing charges to be recovered from a vehicle owner and recovery of such charge by such officer or authority as the State Government may, by notification in the Official Gazette, authorise.

V. S. RAMA DEVI,
Secretary-General.

Published by the Secretary-General, Rajya Sabha, Under Rule 68 of the rules of Procedure and Conduct of Business in the Rajya Sabha.